

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**MARK POTTER,**

Civil No. 09-814-PK

Plaintiff,

O R D E R

v.

**THOMAS CROSSWHITE,**

Defendant.

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Mark William Potter  
9200 SE Sunnybrook Blvd, Suite 430  
Clackamas, Oregon 97015

Martin William Jaqua  
The Rickles Law Firm, PC  
One SW Columbia Street, Suite 1850  
Portland, Oregon 97258-2040

Attorneys for Plaintiff

Mark E. Griffin  
Griffin & McCandlish  
1631 NE Broadway #721  
Portland, Oregon 97232

Attorney for Defendant

KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on May 5, 2011. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Papak's Findings and Recommendation dated May 5, 2011 in its entirety.

IT IS HEREBY ORDERED that Potter's Motion for Attorney Fees and Costs [71] is granted. Potter is awarded \$7,197.72 in attorney fees and costs.

DATED this 31<sup>st</sup> day of May, 2011.

/s/ Garr M. King

GARR M. KING  
United States District Judge